

United States Courts
Southern District of Texas
FILED

MAY 13 2025

Walter Ochsner, Clerk of Court

IN THE UNITED STATES DISTRICT
COURT FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DAYANA ALEXANDER.,
Plaintiff,

CAUSE NO.: 4:25-cv-01614

Vs.

CREDIT CONTROL SERVICES, INC.,
doing business as
Credit Collection Services, Inc.
Defendant.

AFFIDAVIT OF DAYANA ALEXANDER

STATE OF TEXAS

COUNTY OF HARRIS

I, **Dayana Alexander**, does solemnly affirm and declare under penalty of perjury the following:
The statements below are based on my personal knowledge and are true and correct.


1. 1. Personal Information

- a. My name is **Dayana Alexander**, and my mailing address is **PO Box 114, Hockley, TX 77447**.
- b. I am submitting this affidavit in support of my complaint against **Credit Control Services, Inc. (CCS)** for their negligent and willful non-compliance with the **Fair Credit Reporting Act (FCRA)** and the **Fair Debt Collection Practices Act (FDCPA)**.

2. Nature of Complaint

- a. CCS has reported inaccurate debt information to credit reporting agencies, including TransUnion and Experian, regarding a balance of **\$869** allegedly owed to **Allstate Vehicle Property Insurance Company**, dated **November 30, 2022**.
-

CCS Reporting Alleged/Inaccurate Debt Information



Prepared for: DAYANA ALEXANDER Date generated: Jan 10, 2025


Collection accounts

CREDIT CONTROL SERVICE
\$869

Original creditor: ALLSTATE VEHICLE PROP IN, CO

[-] Account info

Account name	CREDIT CONTROL SERVICE	Balance	\$869
Account number	232770XX	Balance updated	Jan 14, 2025
Original creditor	ALLSTATE VEHICLE PROP IN, CO	Original balance	\$869
Company sold	-	Monthly payment	-
Account type	Collection	Past due amount	\$869
Date opened	Nov 30, 2022	Terms	
Status	Collection account \$869 past due as of Jan 2025.	Responsibility	Individual
Status updated	Nov 2022	Your statement	-



Prepared for: DAYANA ALEXANDER Date generated: Jan 12, 2025

Collection accounts

CREDIT COLL
\$869

Original creditor: 06 ALLSTATE VEHICLE PROP IN CO

[-] Account info

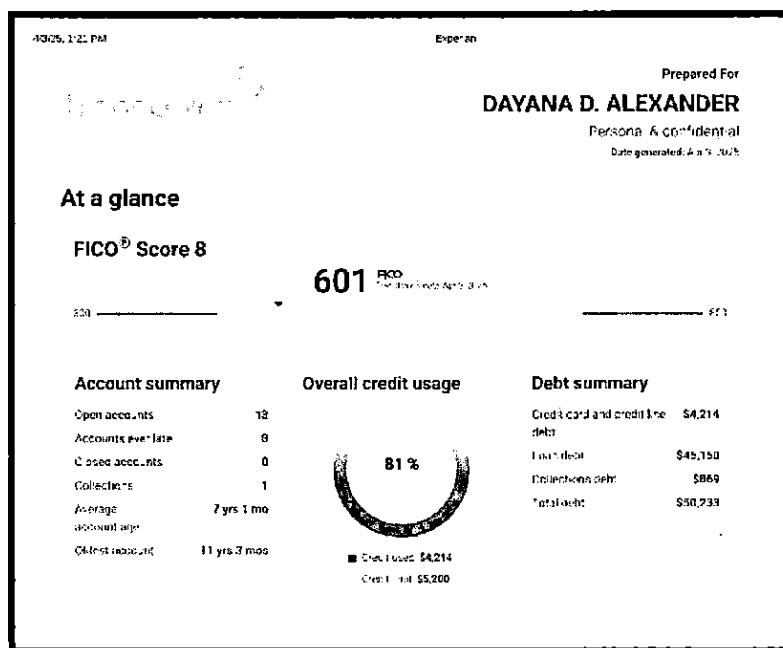
Account name	CREDIT COLL	Balance	\$869
Account number	232770XX	Balance updated	Jan 07, 2025
Original creditor	06 ALLSTATE VEHICLE PROP IN CO	Paid off	0%
Company sold	-	Monthly payment	-
Account type	Open account	Past due amount	-
Date opened	Nov 30, 2022	Terms	
Status	-	Responsibility	Individual account
Status updated	Jan 2025	Your statement	-

Despite my formal written dispute sent to Experian and TransUnion on or about **January 28, 2025 (EXHIBIT A- attached dispute letters Experience and TransUnion)**, CCS did not perform a reasonable investigation or validate the debt as required by the FCRA. Despite receiving dispute letters from the Plaintiff, requesting evidence of the reinvestigation and account-level documentation from the original creditor, CCS continued to report the account inaccurately and never provided the requested documentation. CCS's actions reflect both **negligence** and **willful disregard** for their legal obligations.

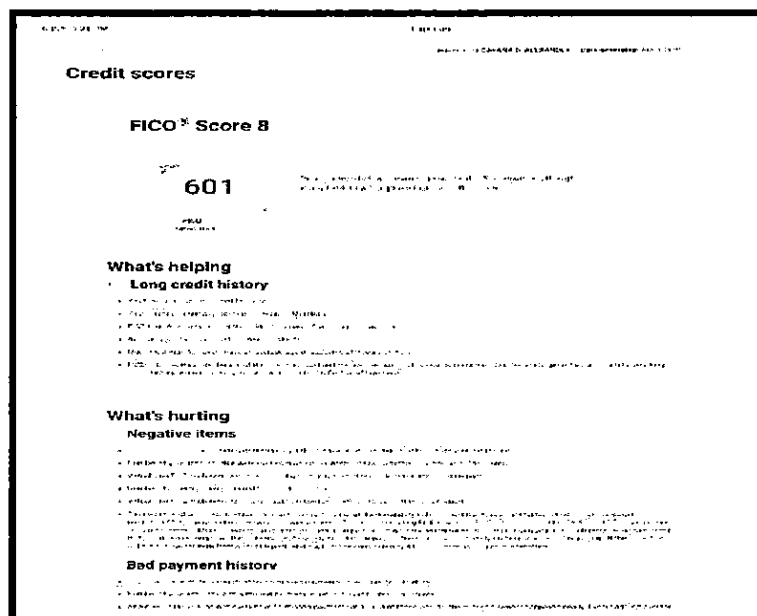
3. Evidence of Negligence and Non-Compliance

- a. The disputed debt is listed as a **collection account** on my credit reports with the status "**Account information disputed by consumer (Meets requirement of the Fair Credit Reporting Act)**". (**EXHIBIT B-Experian April 3 Report**), is insufficient as it does not correct the underlying inaccuracy and continues to negatively impact my creditworthiness.
 - b. CCS failed to provide documentation to substantiate the debt and did not remove or correct the disputed account, violating their obligations under **15 U.S.C. § 1681s-2(b)**. CCS failed to conduct a reasonable investigation, review relevant information, or accurately report the results to the CRAs. Furthermore, my **requests for details regarding the reinvestigation process**, sent to Experian and TransUnion on March 14, 2025 (**EXHIBIT C -2nd dispute letters**), were not adequately addressed, indicating a continued failure to comply with FCRA requirements.
 - c. Their willful non-compliance qualifies under **15 U.S.C. § 1681n**, which entitles affected consumers to **actual damages, punitive damages, and Litigation Costs**. The continued reporting of inaccurate information, despite my disputes and requests for validation, demonstrates a reckless disregard for my rights under the FCRA.
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Impact on Credit Profile and Financial Standing My FICO® Score 8, as of April 3, 2025, is 601 (Fair), according to the TransUnion report (**EXHIBIT D-Transunion CR**)



significantly below the U.S. average. This low score is directly attributable to the derogatory reporting of the CCS account and other inaccuracies, as highlighted in the Experian credit report (**EXHIBIT E- *Experian April 3***), which notes "Negative Items" and "Bad Payment History" as key factors hurting my score.



This inaccurate reporting caused me to lose credit opportunities, including a credit denial by TAB Bank, as documented in the Notice of Adverse Action (EXHIBIT F-Adverse Action) dated February 4, 2025.

EXHIBIT F-Adverse Notice Letter TAB Bank

NOTICE OF ADVERSE ACTION

Date: 02/04/2026

Dayana Alexander
15703 twisting springs dr
cypress, TX 77433

Dear Applicant: Dayana Alexander

Thank you for applying for credit from TAB Bank through Sunbit.

After carefully reviewing your application, we are sorry to advise you that, at this time, TAB Bank cannot approve your application for credit. If you would like a statement of specific reasons why your application was denied by TAB Bank, please contact us using the information shown below within 60 days of the date of this letter. We will provide you with the statement of reasons within 30 days after receiving your request.

TAB Bank dba Sunbit Now, L.L.C.
PO Box 24010
Los Angeles, CA 90024
Toll-Free Telephone No : 855.678.6248

[X] TAB Bank's decision was based in whole or in part on information obtained in a report from the consumer reporting agency(ies) listed below. You have a right under the Fair Credit Reporting Act to know the information contained in your credit file at the consumer reporting agency(ies). The reporting agency(ies) played no part in TAB Bank's decision and is unable to supply specific reasons why TAB Bank did not approve your application. You also have a right to receive a free copy of your report from the reporting agency if you request it no later than 60 days after you receive this notice. In addition, if you find that any information contained in the report(s) you receive is inaccurate or incomplete, you have the right to dispute the matter with the reporting agency(ies).

TransUnion LLC
2 Balcon Place
PO Box 1000
Chester, PA 19016
Toll-Free Telephone No : 800.828.4213

Notice: The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's

The financial harm also includes the inability to proceed with necessary dental treatments outlined in the **Proposed Treatment Plan** from Waller Dental Associates, totaling \$9,018, as I could not secure adequate financing due to my lowered credit score.

EXHIBIT G- Proposed Plan

Proposed Treatment Plan										2/4/2025
Waller Dental Associates, PA										
71515 FM 2875 Rd Suite 15A Waller, TX 77484-8022 (936) 332-2873 (936) 332-2873										
DAYANA De Valle PO Box 114 Hockley, TX 77447										
DENTIST										
Phase	Date Plan	Appl	Procedure	Service	Unit	Surf	Fee	Ins.	Pat.	
1	2/4/2025	DO	0010	COMPREHENSIVE DENTAL EVALUATION	1		\$14.00	\$0.00	\$14.00	
1	2/4/2025	DO	0110	PROPHYLAXIS ADULT	1		\$50.00	\$0.00	\$50.00	
1	2/4/2025	DO	0030	PANORAMIC FILM	1		\$24.00	\$0.00	\$24.00	
1	2/4/2025	DO	0020	INTERDENTAL RAMP FITE INCL. 0	1		\$20.00	\$0.00	\$20.00	
Subtotal for This Phase:							\$108.00	\$0.00	\$108.00	
2	2/4/2025	DO	0250	CORE BUILDUP INCLUDING ANY	2		\$387.00	\$0.00	\$387.00	
2	2/4/2025	DO	0250	CORE BUILDUP INCLUDING ANY	3		\$387.00	\$0.00	\$387.00	
2	2/4/2025	DO	0250	CORE BUILDUP INCLUDING ANY	4		\$387.00	\$0.00	\$387.00	
2	2/4/2025	DO	0270	CROWN PORCELAIN CERAMIC S	2		\$1,700.00	\$0.00	\$1,700.00	
2	2/4/2025	DO	0270	CROWN PORCELAIN CERAMIC S	3		\$1,700.00	\$0.00	\$1,700.00	
2	2/4/2025	DO	0270	CROWN PORCELAIN CERAMIC S	4		\$1,700.00	\$0.00	\$1,700.00	
2	2/4/2025	DO	020	DELIVER CROWN	24		\$0.00	\$0.00	\$0.00	
Subtotal for This Phase:							\$6,051.00	\$0.00	\$6,051.00	
3	2/4/2025	DO	0700	CLERICAL REMOVAL OF DRIFT	10		\$444.00	\$0.00	\$444.00	
3	2/4/2025	DO	0350	RESIN BASED COMPOSITE TWO	15	DL	\$320.00	\$0.00	\$320.00	
3	2/4/2025	DO	0350	RESIN BASED COMPOSITE TWO	14	VO	\$320.00	\$0.00	\$320.00	
3	2/4/2025	DO	0300	RESIN BASED COMPOSITE THR	13	MOO	\$400.00	\$0.00	\$400.00	
Subtotal for This Phase:							\$1,484.00	\$0.00	\$1,484.00	
4	2/4/2025	DO	0300	RESIN BASED COMPOSITE ONE	18	Q	\$270.00	\$0.00	\$270.00	
4	2/4/2025	DO	0300	RESIN BASED COMPOSITE ONE	10	Q	\$180.00	\$0.00	\$180.00	
Subtotal for This Phase:							\$450.00	\$0.00	\$450.00	
Subtotal							\$9,018.00	\$0.00	\$9,018.00	
LOS PRECIO DE VE HAN EXP. CADA YO NO AUTORIZO NINGUN TRATAMIENTO DENT QUE YO FIRME EL CONSENTIMIENTO PAGO DE ASISTENCIA Y/O GARANTIZADO YO SOY RESPONSABLE POR LA DIFERENCIA								Total Proposed: \$9,018.00 Total Completed: \$0.00 Total Accepted: \$0.00 Proposed Insurance: \$0.00		

4. Emotional Distress and Reputational Harm

- a. CCS's failure to address and rectify the disputed debt has caused significant emotional distress, including anxiety and frustration over financial instability. The stress of dealing with inaccurate credit reporting has also impacted my ability to focus on my business, Agape Advocacy Consulting, as evidenced by the need to spend considerable time and resources attempting to correct these errors
 - b. The inaccurate reporting has damaged my reputation with lenders, portraying an unjustified image of financial irresponsibility. This has made it difficult to secure favorable terms on loans and credit cards, further hindering my financial stability.
 - c. **Abusive Divorce and Domestic Abuse:** I am currently enduring an abusive divorce and I am a victim of domestic abuse. This abuse has included emotional and financial coercion, exacerbating the strain on me and my children. This abusive environment has made restructuring my life extraordinarily challenging during this horrendous and trying time.
 - d. **Impact of CCS's Inaccurate Credit Reporting:** During these emotional times, I have been diligently working to restructure my life by obtaining a car, housing, and medical care to provide stability for myself and my children. However, CCS's inaccurate reporting of an \$869 debt allegedly owed to Allstate Vehicle Property Insurance Company has led to repeated denials of credit, severely restraining my life and liberty. Specifically, I was denied a car loan, critical for transportation to court hearings and my advocacy work with Agape Advocacy Consulting. Similarly, housing applications were rejected, preventing me from securing a safe home for my children amidst the divorce's turmoil. These denials have trapped me in a cycle of instability, exacerbating the emotional toll of domestic abuse.
 - e. **Denial of Medical Care:** CCS's inaccurate reporting has also blocked my access to medical care, further infringing on my liberty. I was denied Sunbit financing for essential dental treatments totaling \$11,347 (**EXHIBIT F**) Waller Dental Associates Proposed Treatment Plan (**EXHIBIT G**) and denied CareCredit for
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eye treatments necessary for my health and ability to function as a parent and advocate (**EXHIBIT H- Care Credit Denial**). These denials, documented, have left me unable to address critical health needs, compounding the stress of the abusive divorce and court injustices. The inability to obtain medical care has significantly impacted my quality of life and ability to care for children.

- f. **Significant Life and Liberty Restraints:** The combined effect of CCS's inaccurate credit reporting and the court's injustices has significantly restrained my life and liberty. The denials for a car, housing, and medical care have prevented me from rebuilding a stable environment for my children, who are suffering emotionally. These restraints have hindered my pursuit of financial independence and safety, critical for escaping the cycle of domestic abuse. CCS's failure to correct the disputed debt, despite my formal disputes on January 28, 2025, demonstrates willful non-compliance under 15 U.S.C. § 1681n, entitling me to compensatory and punitive damages to address this injustice.
- g. **Emotional and Reputational Harm:** The ongoing injustices in my divorce case, coupled with CCS's inaccurate reporting, have caused profound emotional distress, including anxiety, fear, and despair, as I struggle to protect my children and rebuild my life. CCS's derogatory reporting has damaged my reputation with lenders, portraying me as financially irresponsible despite my efforts to dispute the debt. This has further isolated me, undermining my advocacy work and ability to provide for my children, whose well-being is my priority.

5. Punitive Damages

- a. Given CCS's **willful non-compliance** under 15 U.S.C. § 1681n, I seek punitive damages to deter similar conduct in the future. The statute allows for punitive damages to be awarded in cases of willful non-compliance with the FCRA.
 - b. I respectfully request the Court impose **punitive damages in the amount of \$102,123** ($9 \times \$11,347$), alongside the compensatory damages, to hold CCS accountable for their deliberate misconduct. This amount is justified given the severity of their negligence, the continued failure to validate the debt, and the
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significant impact on my financial well-being.

6. Legal Relief Requested

a. I respectfully request that the Court find CCS in violation of the **FCRA** and **FDCPA**, and order the following relief:

- Immediate removal or correction of the inaccurate debt information from my credit reports.
- Monetary compensation for emotional distress, financial harm, and reputational damage in the amount of **\$9,018**.
- **Punitive damages** of **\$81,162** for willful non-compliance, as permitted under **15 U.S.C. § 1681n**.
- Litigation costs associated with this complaint.

Affirmation

I affirm under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

/s/ Dayana Alexander

Dayana Alexander

Notary Public:

Subscribed and sworn to before me on this 12 day of May 2025 by **Dayana Alexander**.

EXECUTED this 12 day of May, 2025 in Harris County, State of Texas.

Ana Laura Salazar Uribe

Document Notarized using a Live Audio-Video Connection

